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VIA ECF

The Honorable Eric N. Vitaliano
United States District Judge
United States District Court
Eastern District of New York
225 Cadman Plaza East
Brooklyn, NY 11201

Re: United States v. Discala, S1 14 Cr. 399 (ENV)

Dear Judge Vitaliano:

We represent Mr. Discala in connection with his upcoming sentencing, scheduled to take place on December 8. We write briefly to update the Court with respect to Mr. Discala's volunteer work over the past several months, described in Mr. Discala's sentencing submission ("Sent. Br."), which was filed on June 3 of this year.

Mr. Discala's sentencing submission discussed his work with STAR, Inc., *Lighting the Way* . . . ("STAR"), a Connecticut non-profit that provides support services to special-needs children and adults. (*See* Sent. Br. at 2, 15-18, 29.) As explained therein, Mr. Discala began coaching fitness classes for STAR students in 2017, after observing his gym's owner teaching such a class and asking him how he could help. (*Id.* at 15.) By June 2021, Mr. Discala had led several hundred in-person and online classes, had received multiple awards for his volunteer work with special-needs students, and was touted by STAR staff as a person with a "truly remarkable" capacity "to connect with individuals with disabilities" and a "deep appreciation and caring" for his students. (*Id.* at 16-17; *see also id.* Exs. 32-35.)

The submission also explained that Mr. Discala hoped to extend his services to a wider group, and was working to locate coaches who would lead classes for Mr. Discala's and other students while Mr. Discala is incarcerated. (*Id.* at 18.) In the unexpected additional time between his initial sentencing date in June and the present, Mr. Discala has done just that. He has helped to launch a new organization named Special Abilities, Wellness, Art & Health ("SAWAH"), which is dedicated to increasing the special needs community's access to fitness and wellness resources. Mr. Discala runs the organization's volunteering and mentoring program.

SAWAH engages closely with the local special-needs community, including by taking part in events, fundraising, and outreach efforts hosted by other organizations. Earlier this year, for example, SAWAH helped raise over \$15,000 for STAR's annual Walk Fundraiser. More

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recently, SAWAH took part in Special Olympics Connecticut's 2021 Unified Sports Holiday Classic, hosting the event's powerlifting competition, as discussed in local media in Connecticut.¹ Additionally, SAWAH is partnering with several other agencies and transitional programs, including the Bridgeport and Norwalk Public School Systems (where some SAWAH classes have been attended by over 100 students) and Abilis, a non-profit serving Fairfield County, to offer regular programming.

Mr. Discala personally has been able to expand upon the in-person and group instruction that he led for STAR's students: volunteering through SAWAH is his full-time occupation. He coaches about fifteen classes per week—with an average of approximately 8 students attending each in-person class, and many more attending the live-streamed classes—and several personal training sessions,² while the network of more than 20 coaches he has helped recruit leads numerous additional courses. Mr. Discala is not compensated for his work with SAWAH and its students, which is done on a volunteer basis.

Mr. Discala and SAWAH seek to advance SAWAH's objectives in the broader special-needs community, as well. The organization is in the process of identifying facilities that SAWAH students outside of Connecticut can use for in-person instruction, and compiling a national database of prospective volunteers and mentors. Inspired by the success of Mr. Discala's Zoom classes for STAR students offered during the pandemic, SAWAH is offering an online library of courses that can be accessed at any time and from any location—over 100 such on-demand classes in more than a dozen categories, ranging from mindfulness and meditation to hip-hop—and an online platform through which students and their families and caregivers can track their activities, with the objective of meeting the CDC-recommended two and half hours of exercise per week.

We have enclosed two letters that help illustrate Mr. Discala's and SAWAH's recent work. Both Kim Trudden, Abilis's Director of Case Management, and Ashley Hutchinson, an Abilis employee and former intern, describe Mr. Discala's work with and impact on two of Abilis's clients, L.B. and T.H. Mr. Discala's motivation and energy at the gym have helped boost the confidence of L.B., and her sense of belonging in society. In addition, his daily mentorship has marked a dramatic improvement in T.H., a 21-year-old to whom Abilis introduced Mr. Discala after T.H. voiced suicidal thoughts. Mr. Discala's openness with T.H.—who is struggling with opioid abuse—about his own experiences facing and overcoming addiction has proved particularly important to T.H.'s recent success.

¹ <https://www.wtnh.com/news/connecticut/the-special-olympics-host-multiple-events-at-unified-sports-holiday-classic/>

² Mr. Discala also continues to work one-on-one with certain students in particular need of support and mentorship. (See, e.g., Sent. Br. at 17 & n.5.) At present, he meets nearly daily with three such students, including T.H., discussed *infra*.

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We respectfully request that the Court consider Ms. Trudden and Ms. Hutchinson's letters, and this filing, along with Mr. Discala's sentencing submission (dated June 3, 2021).

Respectfully submitted,



Harry Sandick

cc: AUSA Shannon Jones